

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NOV 16 2005**  
**TRANSMITTAL FORM**  
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **7**

Application Number	10/792,120
Filing Date	03/03/2004
First Named Inventor	Chung Zen Chen
Art Unit	2827
Examiner Name	Huan Hoang
Attorney Docket Number	E1821-00001

**ENCLOSURES** (Check all that apply)

<input checked="" type="checkbox"/> Fee(s) Transmittal Form PTOL-85B (in duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Allowance <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication Regarding Assertion of Small Entity Status with copy of Request for Refund and Return Postcard
Remarks _____		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Joseph A. Powers, Reg. No. 47,006 Duane Morris LLP, Customer Number 08933
Signature	<i>Joseph A. Powers</i>
Date	11/16/05

**CERTIFICATE UNDER 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below using Express Mail Label No. EV777689665US.

Typed or printed name	Elizabeth Orleman		
Signature	<i>Elizabeth Orleman</i>	Date	11/16/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



E1821-00001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Chung Zen Chen**

Examiner: **Huan Hoang**

Serial No.: **10/792,120**

Group Art Unit: **2827**

Filed: **March 3, 2004**

Confirmation No.: **3928**

For: **BIT SWITCH VOLTAGE DROP COMPENSATION DURING PROGRAMMING  
NONVOLATILE MEMORY**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" Mailing Label Number EV398574579US to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

11/16/05  
Date  
Elizabeth Orleman  
Elizabeth Orleman

**COMMUNICATION CONFIRMING ASSERTION OF SMALL ENTITY STATUS**

The Assignee of U.S. Patent Application Serial No. 10/792,120 asserted its entitlement to small entity status in a Request for Refund filed with the U.S. Patent and Trademark Office on May 19, 2004. A copy of the Request for Refund is attached hereto.

The Issue Fee is therefore being submitted in the amount due for a small entity.

It is respectfully requested that the records of the U.S. Patent Office reflect that small entity status was established for this application.

Respectfully submitted,

DATE: 11/16/05

Joseph A. Powers  
Joseph A. Powers  
Registration No. 47,006  
Attorney for Applicant(s)

DUANE MORRIS LLP  
30 South 17<sup>th</sup> Street  
Philadelphia, PA 19103-7396  
Telephone: 215-979-1842  
Fax: 215-979-1020



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chung Zen Chen

Serial No.: 10/792,120

Group Art Unit: not yet known

Filed: March 3, 2004

Examiner: not yet known

For: **BIT SWITCH VOLTAGE DROP COMPENSATION DURING PROGRAMMING  
IN NONVOLATILE MEMORY**

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that this correspondence and the documents referred to as attached therein are being sent via facsimile transmission to 703-308-5077, under 37 C.F.R. § 1.8.

May 19, 2004  
Date  
Joseph A. Powers  
JOSEPH A. POWERS, Registration No. 47,006

Refund Department  
Commissioner for Patents

COPY

REQUEST FOR REFUND

Dear Sir:

According to 37 CFR 1.27 and 1.28(a), the Elitemt Semiconductor Memory Technology Inc., the assignee of U.S. Patent Application Serial No. 10/792,120, asserts its entitlement to small entity status and requests a refund of the excess amount of the filing fee incorrectly paid as large entity.

On March 3, 2004, a check in the amount of US \$1,076.00 was sent by U.S. Post Office Express Mail to U.S. Patent and Trademark Office together with a utility patent application with the title of "Bit Switch Voltage Drop Compensation During Programming In Non-volatile Memory" and under the attorney docket number of E1821-00001. The application is now assigned Application Serial No. 10/792,120. A total of \$1,036.00 was paid for filing and claim fee, with \$40.00 paid for assignment recordation. Please refer to the attached copy of fee transmittal for the breakdown of payments. Because the Assignee is qualified as a small entity


with less than 500 employees and has no obligation to assign or license the invention or application to an entity that cannot claim small entity status, the U.S. Patent and Trademark Office large entity utility filing fees were paid in error. Please refund the overpayment amount to Duane Morris LLP's deposit account number 04-1679.

Applicant respectfully requests a refund in the amount of one half of the filing fee in the amount of \$518.00.

Thank you for your attention to this matter. If you have any question, please feel free to contact Applicant's attorney, Joseph A. Powers at 215-979-1842.

Respectfully submitted,

DATE: May 17, 2004

  
\_\_\_\_\_  
Joseph A. Powers  
Registration No. 47,006  
Attorney for Applicant(s)

DUANE MORRIS LLP  
One Liberty Place  
Philadelphia, PA 19103-7396  
Telephone: 215-979-1842  
Fax: 215-979-1020



\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 3303  
CONNECTION TEL 21#00002#17033085077  
SUBADDRESS  
CONNECTION ID  
ST. TIME 05/19 14:41  
USAGE T 01'17  
PGS. SENT 4  
RESULT OK

## Duane Morris

DUANE MORRIS LLP  
ONE LIBERTY PLACE  
PHILADELPHIA, PA 19103-7396  
PHONE: 215.979.1000  
FAX: 215.979.1020

## FACSIMILE TRANSMITTAL SHEET

TO: Refund Department

FIRM/COMPANY: U.S. Patent and Trademark Office

FACSIMILE NUMBER: 703-308-5077

CONFIRMATION  
TELEPHONE: 703-305-4229

FROM: Joseph A. Powers

DIRECT DIAL: 215.979.1842

DATE: May 19, 2004

USER NUMBER: 1983

FILE NUMBER: E1821-00002

TOTAL # OF PAGES: 4  
(INCLUDING COVERSHEET)